

REVISED MOTION BY SUPERVISORS LINDSEY P. HORVATH
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Strengthening Gun Regulations in Los Angeles County

On September 13, 2022, the Los Angeles County (County) Board of Supervisors (Board) passed a motion directing County Counsel to draft gun regulation ordinances recommended in a report back to the Board on August 15, 2022. The recent mass shooting in the City of Monterey Park on January 21, 2023, followed by the mass shootings in the City of Half Moon Bay and the City of Oakland on January 23, 2023, the fatal shooting of three people in the Beverly Crest neighborhood in the City of Los Angeles on January 28, 2023, and shots fired at a popular shopping center in the City of Calabasas on January 29, 2023 demonstrate the need to strengthen gun regulations to keep families and communities safe.

Firearms are the leading cause of death for children and teens in the United States. According to the Centers for Disease Control and Prevention's (CDC) Fatal Injury Reports for 2015 through 2019, on average 38,826 people die in the United States each year as a result of firearms. Of these firearm deaths, 38% (14,583) are homicides and 60% (23,437) are suicides. An additional 483 deaths annually result from unintentional shootings. An analysis of the National Emergency Department Sample indicates that

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there are twice as many gun injuries as gun deaths, with an average of 76,127 nonfatal firearm injuries per year in the United States. A study published in the *American Journal of Public Health* found a positive and significant association between gun ownership and non-stranger firearm homicide rates, indicating that gun ownership is associated with an increased likelihood of being shot and killed by a family member or acquaintance. And a study published in the *Journal of the American Medical Association* found that households that locked both firearms and ammunition were associated with a 78% lower risk of self-inflicted firearm injuries and an 85% lower risk of unintentional firearm injuries among children, compared to those that locked neither.

Additionally, injuries from unintentional shootings, which are generally insurable, comprise more than a third of all gun-related injuries nationally, and in some instances, victims of gun violence have successfully pursued legal action for harm resulting from the use of the owner's firearm by themselves or a third party. Auto insurers have used risk-adjusted premiums to reward good driving and incentivize use of airbags and other safety features, and by using a comprehensive public health approach to car safety the United States reduced per-mile auto fatalities by nearly 80% from 1967 to 2017. Similarly, insurance-based mechanisms can encourage firearm owners to take safety classes, use gun safes, install trigger locks, or utilize chamber-load indicators. According to 2018 research published in *The Actuary* there is evidence that some actuaries and insurance companies are recognizing firearm-related risk through their product offerings, pricing, and underwriting decisions. Requiring gun owners to purchase liability insurance may be another tool in the County's efforts to reduce gun deaths and injuries.

California state law currently requires firearm owners to keep guns safely secured and stored, and requires that trigger locks be sold with firearms unless the buyer provides proof that they own a gun safe. State law does not define what 'safe storage' means which has led to many gun owners engaging in improper safety and storage practices. Furthermore, California state law does not apply to all homes, only homes where children live or where "a child is likely to gain access to the firearm." The County has the ability to build upon state law with specific requirements for safe gun storage which could prevent the unintentional deaths of children and teen suicides by as much as 85% depending on the type of storage and could also prevent guns from being easily stolen in the case of a home invasion. Department of Justice approved safe gun storage devices can be purchased for as little as \$40 and trigger locks are often distributed for free at law enforcement stations.

Another area of study in reforming laws is the legality of gun registries. Federal law requires licensed firearm dealers to maintain records of gun sales until their business or licensed activity is discontinued, including information about the firearm(s) being purchased as well as the purchaser. However, federal law prohibits the federal government from collecting firearm sales records in a central repository, making gun tracing a slow, cumbersome process. A registry not only aids with tracing a gun used in the commission of a crime, it is an added measure of security to protect law enforcement. Having access to a database that lists the firearm(s) registered to a certain address would allow first responders to better assess the situation and adjust their approach accordingly when responding to a call for service at an address with a licensed firearm.

Common sense gun regulations are supported by the vast majority of the public, including law abiding gun owners. The County has an opportunity to enact further regulations to protect gun owners, their families, and surrounding communities by posting public health warnings at firearm dealer point of sale; mandating secure storage of firearms in private homes; requiring gun owners to purchase liability insurance; and having access to a centralized database of guns in homes to aid law enforcement.

WE, THEREFORE, MOVE that the Board of Supervisors directs County Counsel ~~to do~~ the following:

- 1) Instruct the Treasurer and Tax Collector to prepare an amendment to County Code, Title 7 – Business Licenses, Chapter 7.46 – Gun Dealers ~~Within 90 days, draft an ordinance and report back with the proposed language (or incorporate language into pending gun licensing amendments),~~ requiring signs to be displayed¹ with specific language² warning customers about the risk associated with access to firearms at any site where firearm sales or transfers are conducted in the locality, and submit the ordinance to the Board for its consideration. This amendment shall be prepared in conjunction with other amendments currently in process for the same County Code section that are related to the regulation of firearm and ammunition dealers; and

¹ The signs must be posted conspicuously where firearms are sold, so that they can be easily viewed by persons to whom firearms are sold or transferred. The warning must be posted by the entrance and in one additional location where sales occur. Each informational sign shall be at least 8 ½ inches high by 11 inches wide, and feature black text against a white background and letters that are at least one-half inch high, ensuring they are clearly and easily legible.

² “**WARNING:** Access to a firearm in the home significantly increases the risk of suicide, homicide, death during domestic disputes and unintentional deaths to children, household members and others. If you or a loved one is experiencing distress and/or depression call the Suicide Prevention Lifeline at (800) 273-8255 or the National Suicide Hotline at 988.”

- 2) Instruct County Counsel to ~~Within 90 days,~~ draft an ordinance and report back with the proposed language within 90 days, requiring all firearms in a residence be securely stored in a locked container³ or disabled with a trigger lock; and.
- 3) Instruct County Counsel to ~~Report~~ back in 90 days with: 1) options for draft ordinance language that would mandate liability insurance for gun owners in the County; and 2) the feasibility of implementing a County gun registry, or in coordination with the Sheriff's Department ways to use existing data/records to create a gun database that is easily accessible for law enforcement first responders.

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³ The ordinance will define a locked container as a secured container that is fully enclosed and locked by a padlock, keylock, or similar locking device and a locking device (or trigger lock), when applied to the firearm, renders the firearm inoperable.